

Response

The claims were amended in accordance with the amendments above. The amendments to the claims are being made to clarify the invention and to focus the claims on those aspects of the invention which are a commercial priority to the Applicant. All of the amendments are fully supported by the specification, claims, and figures as originally filed. No new matter is believed or intended to be involved.

Applicant appreciates the courtesies extended during the telephonic interview with the Examiner on 08/02/2005. Applicant appreciates the Examiner's indication during the interview that the present amendment to independent claim 1, which incorporates the subject matter of now-canceled claim 3, would appear to overcome the art of record. Applicant acknowledges that the Examiner reserved the right to supplement his search.

In the Office Action dated 06/02/2005, Claims 1-19 were rejected under 35 U.S.C. § 102(b) as being anticipated by Freeman (US 2,659,544). Claim 19 was rejected under 35 U.S.C. § 102(b) as being anticipated by Bradshaw (US 2,842,322). Under MPEP 2131, a claim is anticipated under 35 U.S.C. §102 only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim. In addition, the elements in the prior art reference must be arranged as required by the claim. MPEP 2131 (emphasis added).

In addition, Applicant notes that under MPEP 2143.03, in order to establish a *prima facie* case of obviousness, the prior art reference or combination of references must teach or suggest all of the limitations of a claim. A *prima facie* case of obviousness also requires that there be some teaching, suggestion, or motivation to modify the references either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. MPEP 2143.01. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. MPEP 2143.01.

In light of the foregoing, Applicant respectfully submits that the art of record neither anticipates nor renders obvious the presently amended claims. In particular, the art of record, even in combination, fails to teach or suggest each and every element recited in each of the amended independent claims in accordance with MPEP 2131 and 2143. In addition, even if the combined art of record taught or suggested all of the elements of any of the amended independent claims, the art is devoid of any suggestion or motivation to modify or combine the teachings of the references in order to obtain the claimed invention.

With respect to claim 1, the claim has been amended to incorporate the limitation previously set forth in claim 3, such that claim 1 now recites the limitation that at least one pair of protrusions is splayed. By contrast, as was noted in the interview, the art of record does not teach, suggest, or motivate at least one pair of protrusions being splayed. Accordingly, amended claim 1 is patentable over the art of record.

With respect to claim 15, it is noted that the claim has been amended to recite several structural limitations demonstrating the unique proportions and dimensions of the claimed fishing reel. For instance, Applicant notes that amended claim 15 recites a slender, elongate, rectangular bobbin having a length between about 15 inches and 20 inches, a width of between about $\frac{1}{2}$ inch and $1\frac{1}{2}$ inches, and a thickness of between about $\frac{1}{2}$ inch and 1 inch. Claim 15 further recites a bracket length between about 1 inch and 6 inches. Applicant notes that the combined art of record fails to teach, suggest, or motivate these and other limitations, particularly in such detail and in such an arrangement.

Applicant further notes that the art of record fails to appreciate the unique advantages that may be obtained through such unique structure recited in amended claim 15. For instance, and without limitation, the claimed fishing reel provides an incredibly reliable device (e.g., by virtue of the absence of moving parts) which will provide a fisherman with tactile feedback during the wrapping of fishing line about the stationary bobbin and complete manual control over the wrapping process, as one of ordinary skill in the art would immediately recognize upon reading the claim in view of

the specification and drawings. In addition, one of ordinary skill in the art would immediately recognize that, given the elongate configuration of the bobbin, such line wrapping will inherently not require the number of manual revolutions about the bobbin that would be inherently required by the relatively short stationary bobbins taught by the art of record. The slender, elongate configuration of the bobbin, which is further demonstrated by the recited length relative to the recited width and thickness, further enhances the ease of handling and portability of the bobbin. There is no appreciation in the art of record of these advantages, or any other advantages, that will be obtained through the completely unique fishing reel of amended claim 15.

With respect to claim 19, the claim has been amended to recite the limitation that at least one of the one or more protrusions is flared. Applicant notes that this limitation is similar to the “splayed” limitation recited in amended claim 1. Accordingly, for reasons similar to those for which claim 1 is patentable over the art of record, claim 19 is also patentable over the art of record.

For at least the foregoing reasons, Applicant respectfully submits that the art of record fails to teach or suggest all of the limitations recited in each independent claim as presently amended. Furthermore, even if all of the references in combination taught or suggested all of the limitations recited in the amended claims, the art of record fails to provide any motivation whatsoever to combine the limitations recited in the presently stated claims. Applicant again notes that *the mere fact that the references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination.* MPEP 2143.01. This suggestion of desirability is utterly absent in the prior art. Because of these shortcomings of the art of record, a *prima facie* case of obviousness cannot be met in accordance with MPEP 2143. Furthermore, an obviousness rejection would require the use of impermissible hindsight to piece together the teachings of the prior art to obtain the claimed invention. Accordingly, Applicant respectfully submits that the presently amended claims are patentable over the art of record.

To the extent that the amendments constitute a narrowing of the claims, such narrowing of the claims should not be construed as an admission as to the merits of the prior rejections. Indeed, Applicant traverses the rejections and preserves all rights and arguments. Applicant further notes that the dependent claims include additional limitations not taught or suggested in the art of record, thus forming independent basis for novelty and non-obviousness.

Based on the foregoing, all pending claims are in a condition for allowance. Accordingly, Applicant respectfully requests reconsideration and an early notice of allowance.

Respectfully Submitted,



Andrew B. Ulmer (Reg. No. 57,003)
Frost Brown Todd LLC
2500 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202-4182
513-369-4811 (direct)
513-651-6981 (fax)

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